

CCRB INVESTIGATIVE RECOMMENDATION

Investigator: Theo Kaufman	Team: Squad #11	CCRB Case #: 202303096	<input type="checkbox"/> Force	<input type="checkbox"/> Discourt.	<input type="checkbox"/> U.S.
			<input checked="" type="checkbox"/> Abuse	<input type="checkbox"/> O.L.	<input type="checkbox"/> Injury
Incident Date(s) Tuesday, 04/11/2023 4:15 PM	Location of Incident: 188 Tillary Street	18 Mo. SOL 10/11/2024	Precinct: 84		
Date/Time CV Reported Tue, 04/11/2023 11:23 PM	CV Reported At: CCRB	How CV Reported: On-line website	Date/Time Received at CCRB Tue, 04/11/2023 11:23 PM		

Complainant/Victim	Type	Home Address

Subject Officer(s)	Shield	TaxID	Command
1. PO Rabeel Ahmad	12961	956371	084 PCT

Officer(s)	Allegation	Investigator Recommendation
A . PO Rabeel Ahmad	Abuse: Police Officer Rabeel Ahmad improperly used his body-worn camera.	
B . PO Rabeel Ahmad	Abuse: Police Officer Rabeel Ahmad stopped the vehicle in which § 87(2)(b) was an occupant.	
C . PO Rabeel Ahmad	Abuse: Police Officer Rabeel Ahmad propositioned § 87(2)(b)	

Case Summary

On April 11, 2023, § 87(2)(b) filed this complaint via the CCRB's website.

On April 11, 2023, at approximately 4:15pm, PO Rabeel Ahmad of the 84th Precinct pulled over § 87(2)(b) outside 188 Tillary Street in Brooklyn for using her phone while driving. PO Ahmad decided not to give § 87(2)(b) a summons. PO Ahmad deactivated his BWC prior to ending his interaction with § 87(2)(b) (**Allegation A: Abuse of Authority:** § 87(2)(g) PO Ahmad asked § 87(2)(b) for her private cell number. They exchanged numbers and § 87(2)(b) drove away.

A few minutes later, PO Ahmad allegedly called § 87(2)(b). He then pulled her over again and allegedly asked her why she did not answer the phone (**Allegation B: Abuse of Authority:** § 87(2)(g) § 87(2)(b) said she would answer the phone and drove away. PO Ahmad called § 87(2)(b) again and asked her to go on a date. § 87(2)(b) ended the conversation. PO Ahmad later texted her, and § 87(2)(b) said she did not want any further contact with him (**Allegation C: Abuse of Authority:** § 87(2)(g) § 87(2)(b)).

This incident did not result in any arrests or summonses.

BWC footage was obtained from PO Ahmad (**BR 01**).

Findings and Recommendations

Allegation (A) Abuse of Authority: Police Officer Rabeel Ahmad improperly used his body-worn camera.

At timestamp 00:59 of PO Ahmad's BWC, he exits his RMP and activates his BWC. He approaches § 87(2)(b) vehicle and asks her if she has her driver's license and registration. § 87(2)(b) provides her license but says that she does not have her registration. PO Ahmad asks her if she knows why he pulled her over. § 87(2)(b) says that she was on her phone and further clarifies that she was not familiar with the area and was talking to her mother about iftar dinner. 01:46, PO Ahmad asks § 87(2)(b) about the PBA card she gave him, which belongs to her cousin. At 02:13, PO Ahmad walks back to his vehicle. He pulls over two people on a moped and writes them summonses for driving without helmets. PO Ahmad sits in his vehicle to prepare their summonses. At 09:40, PO Ahmad uses his cell phone to take a photograph of § 87(2)(b) license plate through the front window of his RMP. He gives summonses to the people on the moped, then returns to his own vehicle. At 11:20, PO Ahmad approaches § 87(2)(b) vehicle, and at 11:48, PO Ahmad says "tell me a good reason why I shouldn't give you a ticket." § 87(2)(b) says that her family depends on her to cook and that she is trying not to cry. PO Ahmad tells her, "You know how many points that is right? It's five points." PO Ahmad tells § 87(2)(b) to be careful. PO Ahmad turns away as § 87(2)(b) says, "Thank you so much", and deactivates his BWC. (**BR 01**).

§ 87(2)(b) testified that PO Ahmad pulled her over for being on her phone while she was driving. PO Ahmad asked for her license and registration. § 87(2)(b) provided those as well as a PBA card with her cousin's name on it. PO Ahmad asked § 87(2)(b) if she was Muslim, and § 87(2)(b) said that she was. PO Ahmad walked back to his car and pulled over two people on a Revel scooter for not wearing a helmet. PO Ahmad dealt with the scooter and gave them a summons, before returning to § 87(2)(b). When he returned, PO Ahmad gave § 87(2)(b) her documents and told her, "Give me a good reason why I shouldn't give you a ticket." § 87(2)(b) started to cry and said that she was not familiar with the area and was looking for a grocery store to shop for dinner, and unfortunately happened to be on her phone when he pulled her over. PO Ahmad told § 87(2)(b) that a summons for this would be over 500 dollars and five points off of her license. PO Ahmad told § 87(2)(b) to stop crying and asked her if she was single. This caught § 87(2)(b) off guard. § 87(2)(b)

§ 87(2)(b) shook her head and PO Ahmad asked her again. § 87(2)(b) said yes, and PO Ahmad asked her how old she was. § 87(2)(b) said that she was 29. PO Ahmad asked § 87(2)(b) if he could have her phone number. § 87(2)(b) was terrified about the situation that she was in and did not want to get a summons or any points off on her license and provided PO Ahmad with her phone number. PO Ahmad asked her if she knew where he was going “with this” and asked § 87(2)(b) if she was going to answer his calls. § 87(2)(b) said she would. PO Ahmad asked if § 87(2)(b) was sure that she was single. § 87(2)(b) said yes. PO Ahmad then said, “stop crying, I was never going to give you a ticket.” § 87(2)(b) made a joke about crying on camera, and PO Ahmad told her that his camera was off. PO Ahmad told § 87(2)(b) that she could drive away and told her that when he called her, he expected her to pick up the phone (BR 02).

PO Ahmad provided a statement consistent with his BWC footage with the following exceptions. § 87(2)(b) started crying and stated that she was fasting and needed to take care of her siblings. PO Ahmad told § 87(2)(b) that cellphone use is five points, and that she should be careful. PO Ahmad then concluded the car stop and turned off his BWC. PO Ahmad then initiated a brief conversation with § 87(2)(b) where he requested that they exchange phone numbers. PO Ahmad did not ask § 87(2)(b) if she was single, whether she was sure she was single, or how old she was. PO Ahmad asked § 87(2)(b) if she would answer his calls, because he was concerned for her well-being. PO Ahmad did not record this conversation as there was no enforcement action taken (BR 03).

Once the BWC has been activated, continue recording until the investigative, enforcement, or other police action is concluded. Patrol Guide procedure 212-123 (BR 04).

BWC footage shows that PO Ahmad used his discretion and decided not to issue § 87(2)(b) a summons. He turns away from § 87(2)(b) towards his own vehicle and deactivates his BWC, presumably ending the interaction. However, PO Ahmad admitted to continuing his interaction with § 87(2)(b) after deactivating his BWC, for the purpose of obtaining § 87(2)(b) personal phone number. Although PO Ahmad testified that at this point the vehicle stop had ended and he resumed patrol, he also admitted to remaining at the scene and prolonging his conversation with § 87(2)(b). As this conversation occurred at the end of a vehicle stop, § 87(2)(g)

§ 87(2)(g)

§ 87(2)(g)

Allegation (B) Abuse of Authority: Police Officer Rabeel Ahmad stopped the vehicle in which § 87(2)(b) was an occupant.

Allegation (C) Abuse of Authority: Police Officer Rabeel Ahmad propositioned § 87(2)(b)

T-Mobile subscriber information confirms that § 87(2)(b) is assigned to Rabeel Ahmad (BR 05).

Within two minutes of § 87(2)(b) driving away, PO Ahmad called her. § 87(2)(b) did not answer the phone. PO Ahmad then pulled over § 87(2)(b) again. PO Ahmad parked behind § 87(2)(b) and he walked up to her vehicle. PO Ahmad asked § 87(2)(b) why she was not answering his calls. PO Ahmad told § 87(2)(b) that she needed to answer when he called her. PO Ahmad again asked if § 87(2)(b) was single and told her that she could pick up the phone if he called her. As he walked away, PO Ahmad told § 87(2)(b) not to tell her cousin, an NYPD officer, about this interaction. § 87(2)(b) drove off, and PO Ahmad called her. § 87(2)(b) picked up the phone because she did not want PO Ahmad to pull her over again. PO Ahmad asked § 87(2)(b) where she went to school, how old she was, if she dated, if she was willing to go on a date with him and told her that it was his birthday the coming Saturday. PO Ahmad told § 87(2)(b) that he was 33 years old. § 87(2)(b) told

PO Ahmad that she could not speak at the time. She told PO Ahmad that it was nice meeting him and wished him a good day. PO Ahmad asked where she was going, and § 87(2)(b) told him that she had to go to the supermarket. PO Ahmad told her to call him back when she was done. § 87(2)(b) said okay and hung up the phone. § 87(2)(b) did not call PO Ahmad back. At 4:34pm, PO Ahmad texted § 87(2)(b) and at 5:14pm texted her asking her to call him saying “urgent”. An hour later PO Ahmad texted § 87(2)(b) again, and then again at 10:04pm with three question marks. § 87(2)(b) responded to PO Ahmad’s texts at 10:39, explaining that she felt obligated to give him her number, was not interested in him, and asked him not to contact her **(BR 02)**.

§ 87(2)(b) provided screenshots from her cell phone, which show two phone calls from PO Ahmad, one of which was answered **(BR 06)**. A second screenshot shows text messages from PO Ahmad, depicted below **(BR 07)**.



PO Ahmad continued patrol after the car stop. He did not recall whether he called § 87(2)(b) after she drove away from the initial stop. He then saw § 87(2)(b) vehicle again at Cadman Plaza East. PO Ahmad was concerned for § 87(2)(b) wellbeing because she had crying and said that she was,

fasting, and is a family member of another police officer. PO Ahmad and § 87(2)(b) are both Muslim, and PO Ahmad knows how hard it gets during fasting. PO Ahmad pulled his RMP behind her vehicle, exited the vehicle and approached hers. PO Ahmad asked § 87(2)(b) if he could call her, she said yes. PO Ahmad did not recall what else was said but mentioned that the interaction only lasted a couple of seconds. PO Ahmad did not intend for this to be a vehicle stop. § 87(2)(b) did not commit any other traffic infractions, and PO Ahmad did not tell her that she was being pulled over nor did he ask § 87(2)(b) if she knew why she was being pulled over. PO Ahmad and § 87(2)(b) spoke briefly on the phone while she was on her way home. PO Ahmad asked § 87(2)(b) what school she went to. PO Ahmad did not at any point ask § 87(2)(b) if she was willing to go on a date with him. She arrived home and told PO Ahmad that she would call him back later because she had to cook for her family. She also stated that she could not be seen on the phone in front of her mother. PO Ahmad did not hear from her and so he texted her to see if she was okay. PO Ahmad did not mention his birthday coming up the following weekend to § 87(2)(b) and did not tell her how old he was. PO Ahmad does not know how she § 87(2)(b) knew his age. After § 87(2)(b) returned home and they disengaged their phone call, PO Ahmad texted her asking if she was okay. § 87(2)(b) texted him back after a couple of hours and there were no further correspondences after that. PO Ahmad mentioned that the urgency of his text messages was to make sure § 87(2)(b) was okay and had gotten home. He just wanted to hear that she was home (BR 03).

AVL history for PO Ahmad's vehicle shows that he parked at 188 Tillary Street from 4:16pm to 4:26pm, and later stopped at 237 Gold Street at 4:44pm for approximately 23 seconds (BR 08).

Engaging in conduct prejudicial to good order, efficiency, or discipline of the Department is prohibited. Administrative Guide 304-06 (BR 09).

NYPD Patrol Guide procedure 200-02 states that the NYPD is committed to carrying out its duties while treating every citizen with compassion, courtesy, professionalism, and respect. Officers respect the dignity of each individual and render services with courtesy and civility (Board Review 13).

Patrol Guide Procedure 205-36 states that sexual harassment is unwelcome sexual advances, requests for sexual favors and other verbal or physical conduct of a sexual nature. Conduct which could be considered sexual harassment includes subtle or direct propositions (Board Review 14).

PO Ahmad pulled over § 87(2)(b) a second time to follow up after his initial conversation with him. Although PO Ahmad could not recall if he called § 87(2)(b) prior to pulling her over a second time, he told the investigation that there was no law enforcement purpose to approaching her a second time. PO Ahmad stated that this was not intended to be a vehicle stop. However, PO Ahmad had just prior, pulled § 87(2)(b) over for a traffic infraction, was still in his marked vehicle, and wearing his uniform. It is reasonable to conclude that § 87(2)(b) felt she was unable to leave, and that this interaction did constitute a vehicle stop. Conducting a vehicle stop without a law enforcement purpose is prejudicial to good order and the efficiency of the department, as PO Ahmad used his authority as a police officer to pursue a personal relationship with § 87(2)(b).

After pulling § 87(2)(b) over a second time, PO Ahmad spoke with § 87(2)(b) over the phone, and later sent her text messages. § 87(2)(b) testified that PO Ahmad asked her how old she was, if she dated, and if she would go on a date with him. PO Ahmad denied asking § 87(2)(b) to go on a date, and stated he was only checking up on § 87(2)(b) because she had been crying. Although there is no recording of the phone call between § 87(2)(b) and PO Ahmad to confirm whether he asked her on a date, § 87(2)(g)

§ 87(2)(g)

§ 87(2)(g) . While PO Ahmad contacted § 87(2)(b) over phone and text-message, and not via a social media site, PO Ahmad calling and texting § 87(2)(b) directly after pulling her over for a traffic stop § 87(2)(g)

Civilian and Officer CCRB Histories

- This is the first CCRB complaint to which § 87(2)(b) has been a party (BR 11).
- PO Ahmad has been a member-of-service for nine years and this is the first CCRB complaint to which he has been a subject.

Mediation, Civil, and Criminal Histories

- This complaint was not suitable for mediation.
- As of July 20, 2023, the New York City Office of the Comptroller has no record of a Notice of Claim being filed regarding this incident (BR 12).
- [§ 87(2)(b)] [§§ 86(1)(3)&(4)] [§ 87(2)(c)]

RPBP History

- This complaint did not contain any allegations of Racial Profiling/Bias-Based Policing.

Squad No.: 11

Investigator:	Theo Kaufman	Investigator Theo Kaufman	01/30/2024
	<u>Signature</u>	<u>Print Title & Name</u>	<u>Date</u>

Squad Leader:	Edwin Pena	IM Edwin Pena	08/19/24
	<u>Signature</u>	<u>Print Title & Name</u>	<u>Date</u>

Reviewer:			
	<u>Signature</u>	<u>Print Title & Name</u>	<u>Date</u>